

REMARKS

Reconsideration is respectfully requested. Claims 1 and 2 are present in the application.

Claim 1 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Differding et al (WO 01/62726A2). Claim 2 is rejected under 35 U.S.C. §102(b) as being anticipated by applicant's admission.

Applicant respectfully traverses.

The inventor has requested that the following letter text be submitted to the Examiner for reconsideration of the above rejections:

The Inventor is truly thankful to the Examiner for such a professional discussion and understands that the present Invention goes beyond the frameworks of well-known and generally accepted. However the value of this Invention is in its absolute novelty and a new class of medical agents has been already created on its base: these are neuromodulators. The present Invention shows that it is the neuromodulator activity that provides N-carbomoyl-methyl-4-phenyl-2-pyrrolidon with such a wide range of pharmacological effects including nootropic, psychostimulating, cerebrovascular etc., and at the same time eliminats neurological deficiency based on the oppositely directed mechanisms both of activation and suppression of central nervous system, restricts the damage area in strokes of various etiology and prevents lethality in 100% of cases.

Judging from the reasoning of the Examiner one have to recognize that it is nootropic, or antidepressant, or stimulating, or any other activity of this agent known before the present Invention was made that is the main one and ensures its ability to perform all the range of activities including inherently alternative ones (stimulating and anticonvulsant, stimulating and anxiolytic etc.), provides 100% survival of the animals with full recovery in strokes of various

etiology. In order to achieve the same effect before the present Invention was made several medications of different pharmacological groups and classes had to be used, even to achieve the same result partially. The modern medicine and pharmacology did not known before the Examiner's decision that nootropics, antidepressants or stimulants was able to ensure recovery from stroke and prevent lethality. The modern medicine proves the opposite and, moreover, it is known that in an acute period of manifestation of such a complex pathology as stroke these medicines are not of medical use and even contraindicated. It is not even a stroke. There are other multifunctional pathologies. Strokes of various etiology were chosen to prove neuromodulator activity because a stroke in etiology of its development and manifestation of symptom complex has oppositely directed mechanisms of their realization and in this case it has been shown that this agent performs oppositely directed activities **concurrently**. If the Examiner can prove to the author that the previously known activities of this agent can concurrently ensure oppositely directed effects than we have the subject for discussion.

This Invention shows that it is not nootropic or any other known activity, but some new and previously unknown one that is the leading one in this agent and it is this activity that ensures and leads to other activities including nootropics, antistroke, cerebrovascular, antidepressant etc. arising depending upon the initial condition and presence of this or that disorders, ensuring adequacy of activity, manifestation of these or those effects or their concurrent aggregate depending upon the initial state of a body.

The present Invention has already established a new direction in pharmacology and clinical medicine that is developing successfully. Everything is happening for the first time sometimes and everything is invented for the first time. Taking into account the Examiner's erudition the author hopes that the above arguments presented by the author are persuasive.

The author thanks the Examiner for cooperation and fruitful discussion.

V.I. Akhapkina

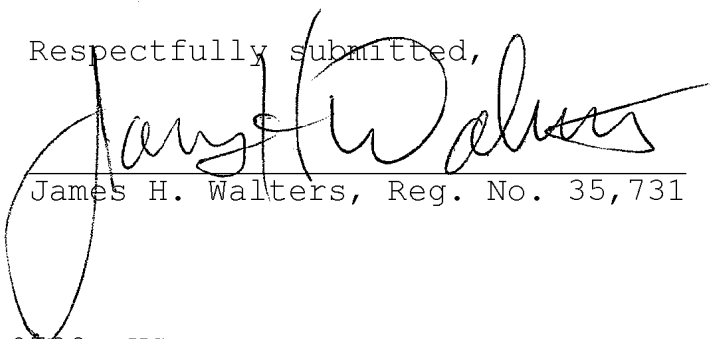
the Inventor

In view of the above, reconsideration is requested.
Accordingly, it is respectfully submitted that the claims are allowable.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

It is believed that no further fees are due with this filing as the required fees are being submitted herewith. However, if additional fees are required to keep the application pending, please charge deposit account 503036. If fee refund is owed, please refund to deposit account 503036.

Respectfully submitted,


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